

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office... FEB 25 1988

Returned to applicant for correction... APR 21 1988

Corrected application filed... JUN 06 1988 Map filed JUN 06 1988

The applicant ERNEST J. PRIMM

P.O. Box 128 of Jean Nevada 89019

Street and No. or P.O. Box No. City or Town State and Zip Code No. hereby make S application for permission to change the

the point of diversion and place of use Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 35617 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is underground Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 4448 cfs, not to exceed 104.93 mga Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for quasi-municipal and domestic Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for quasi-municipal and domestic Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point within the NW 1/4 NE 1/4 Section 9, Township 27 South, Range 59 East, M.D.B.&M. at a point from which the East 1/16th quarter Section 9 Township 27 South, Range 59 East, M.D.B.&M. bears North 25°09'24" East a distance of 1025.47 feet.

6. The existing permitted point of diversion is located within within the SW 1/4 NE 1/4 Section 9 Township 27 South, Range 59 East M.D.B.&M. at a point from which the East 1/4 corner corner Section 9, Township 27 South, Range 59 East M.D.B.&M. bears South 7°22'38" East a distance of 1694.67 feet.

7. Proposed place of use within a portion of SE 1/4 SW 1/4 Section 8, NE 1/4 NW 1/4 Section 17, and Tract 37 T. 17 N., R. 15 E., SBB&M (San Bernardino Co., CA); within a portion of E 1/2 SW 1/4 Section 8, SE 1/4 NW 1/4 Section 8, E 1/2 Section 8, NW 1/4 Section 9, W 1/2 NE 1/4 Section 9, SE 1/4 NE 1/4 Section 9, S 1/2 NW 1/4 Section 10 and SW 1/4 NE 1/4 Section 10, all within T. 27 S., R. 59 E., MDB&M.

8. Existing place of use within a portion of SW 1/4 NE 1/4, NW 1/4 SE 1/4, SE 1/2 SW 1/4, NE 1/4 SW 1/4, SE 1/4 NW 1/4 Section 8, T. 27 S., R. 59 E., MDB&M.

9. Use will be from January 1 to December 31 of each year.

10. Use was permitted from January 1 to December 31 of each year.

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well, submersible pump, electric motor, storage reservoir and distribution system to place of use.

12. Estimated cost of works \$50,000

13. Estimated time required to construct works Three years

14. Estimated time required to complete the application of water to beneficial use... Ten years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be utilized for the entire long-range use of Whiskey Pete's Casino.
The use will include the casino, a modest amount of outside landscaping,
recreation facilities and an 18-hole golf course. A complete analysis of
anticipated consumption will be supplied prior to this application being
considered ready for action.

Bys./Ross E. de Lipkau
Ross de Lipkau
P.O. Box 2790, Reno, Nv 89505

Compared bk/pm pm/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 35617 is issued subject to the terms and conditions imposed in said Permit 35617 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 51870, 51871, 51872, 51873, 52087 and 52088 shall not exceed 177.92 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.4448 cubic feet per second, but not to exceed 104.93 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 29, 1989

Proof of completion of work shall be filed before April 29, 1989

Application of water to beneficial use shall be made on or before March 29, 1990

Proof of the application of water to beneficial use shall be filed on or before April 29, 1990

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAY 29 1989 IN TESTIMONY WHEREOF, I, PETER G. MORROS,

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 8th day of December

Cultural map filed.....

Certificate No. Issued.....

A.D. 19 88
Peter G. Morros
State Engineer